

AP/2152
2700
bourgetlaw.com

Anthony J. Bourget
Attorney*

#9



February 5, 2001

BOX AF
Commissioner of Patents & Trademarks
Washington, D.C. 20231

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FEB 13 2001

Technology Center 2100

Re: U.S. Patent Application Serial No. 09/405,335

Dear Examiner Luu:

We are returning to you the Office Action concerning Application No. 09/405,335 (filing date: 9/24/1999). Apparently, there was a typographical error in the correspondence address indication form for this matter. I have now made further request to have the typographical error corrected so I no longer receive papers concerning this application.

Sincerely,

Anthony J. Bourget
Anthony J. Bourget

AJB:crm
Enclosure



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/405,335 09/24/99 HANHAN

M	F3313CIP
EXAMINER	

026365 TM02/0131
ANTHONY J. BOURGET
1119 REGIS COURT, SUITE 1B
P.O. BOX 81
EAU CLAIRE WI 54702-0081

ART UNIT UU	PAPER NUMBER
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DATE MAILED: 152

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This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 01/17/01

☒ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-10 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-10 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

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1. Claims 1-10 are presented for examination.
2. The rejections of claims 1-2, 5-7, and 10 under 35 U.S.C. § 112 have been withdrawn due to applicant's amendment filed 01/17/01.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
4. Claims 1-10 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by **Kikinis** patent no. **5,727,159**.
5. **Kikinis** was cited as prior art in the last office action.
6. As to claim 1, Kikinis teaches the invention as claimed, including a communication center having agent workstations, a system for enabling a remote agent, using a light computerized device having insufficient power to operate as an agent with full access to data and software tools of the communication center (figure 2), the system comprising:

a proxy server executing a software suite (Proxy server 19, figure 2);

a first two way data link between the proxy server and one of a server or a workstation at the communication center (col. 4 lines 15-34); and

a second two way data link between the proxy server and the light computerized device used by the remote agent (col. 5 lines 34-52);

characterized in that the proxy server, by the software suite, upon establishing a connection over the second data link, ascertains hardware and software characteristics of the light computerized device, establishes a connection to a server or a workstation at the communication center over the first two way data link at direction of the light computerized device, accesses data and operates software from the workstation at the communication center on behalf of and according to direction from the light computerized device, transforms the data and results of the software operations into a form useable by the light device, and transmits the transformed information to the light computerized device via the second two way data link (col. 5 line 62 - col. 6 line 36).

7. As to claim 2, Kikinis teaches said light computerized device is one of a hand held computer, a personal digital assistant, a portable laptop computer, and a cell telephone (col. 4 lines 35-64).

8. As to claim 3, Kikinis teaches the proxy server is a LAN connected server in the communication center (col. 4 lines 29-34, and col. 5 lines 53-61).

9. As to claim 4, Kikinis teaches the second two way data link is one of a dial up telephone connection, a wireless connection or a data packet connection via the Internet (col. 5 lines 44-52).

10. As to claim 5, Kikinis teaches the proxy server and the light computerized device execute an instance of a Nano browser enabling Internet Protocol communication over the second data link (col. 7 lines 1-12).

11. Claims 6-10 have similar limitations as claims 1-5; therefore, they are rejected under the same rationale.

12. In the remarks, applicant argued in substance that

(A) Prior art does not teach using a light computerized device to operate as an agent with full access to data and software tools of the communication center

As to point (A), Kikinis teaches a user uses a hand-held computer to remotely access data and capability of remotely executing a host of routines stored in servers (col. 4 lines 15-64, and col. 5 line 62 - col. 6 line 36).

(B) Prior art does not teach connecting to a workstation at the communication center through a proxy server.

As to point (B), Kikinis teaches a hand-held computer connects to a server on the Internet through a proxy server (col. 4 lines 15-34).

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13. Applicant's arguments filed on 01/17/2001 have been fully considered but they are not deemed to be persuasive.

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached at (703) 305-4815.

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Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

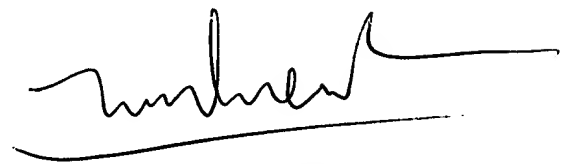
or faxed to:

(703) 308-9051, (for formal communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 305-7201 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



LE HIEN LUU
PRIMARY EXAMINER

January 30, 2001



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
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Dear Patent and Trademark Office Customer:

Technology Center 2100

The Technical Support Staff of Technology Center 2100 has undertaken continuous quality improvement efforts to ensure that the accompanying correspondence meets high quality standards, and focuses on good customer service. It is important to us that you are satisfied with the services we provide.

If the contents of the attached correspondence has any clerical omissions, e.g., missing references or pages, illegible text, other problems or concerns of this nature which you wish to bring to my attention, please call or fax me as soon as possible. I will take the appropriate action to expedite the necessary corrections.

Verlene D. Green
Head, Supervisory Legal Instruments Examiner
Technology Center 2100
(703) 305-4376

Fax No. (703) 308-9051 or (703) 308-9052

Attention: Policy on Returning Phone Calls

A PTO-wide customer service standard is if a PTO employee being called is not available, they will return your call by the next business day, or, if you request, an alternate point of contact will be provided. Technology Center 2100 is committed to meeting this service standard. If you have called any employee in our Technology Center and have not received a return phone call within one (1) business day or have not been provided another point of contact, please contact the Technology Center at 703-306-5631. We ensure that you will receive a return phone call, from an employee with the ability to assist you, within four (4) business hours of this contact. We appreciate your help in assisting us to help you.



ATTACHMENT TO AND MODIFICATION OF
NOTICE OF ALLOWABILITY (PTO-37)
(November, 2000)

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NO EXTENSIONS OF TIME ARE PERMITTED TO FILE Technology Center 2100
CORRECTED OR FORMAL DRAWINGS, OR A SUBSTITUTE
OATH OR DECLARATION, notwithstanding any indication to the
contrary in the attached Notice of Allowability (PTO-37).

If the following language appears on the attached Notice of Allowability, the
portion lined through below is of no force and effect and is to be ignored¹:

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to
EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to comply will result in
ABANDONMENT of this application. ~~Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).~~

Similar language appearing in any attachments to the Notice of Allowability,
such as in an Examiner's Amendment/Comment or in a Notice of
Draftperson's Patent Drawing Review, PTO-948, is also to be ignored.

¹ The language which is crossed out is contrary to amended 37 CFR 1.85(c) and 1.136. See "Changes to
Implement the Patent Business Goals", 65 Fed. Reg. 54603, 54629, 54641, 54670, 54674 (September 8,
2000), 1238 Off. Gaz. Pat. Office 77, 99, 110, 135, 139 (September 19, 2000).